

Message Text

SECRET

PAGE 01 CARACA 14661 211356Z
ACTION SS-25

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FM AMEMBASSY CARACAS
TO SECSTATE WASHDC IMMEDIATE 6042

S E C R E T CARACAS 14661

EXDIS

EO 11652 XGDS-1 AND 2
TAGS: PFOR PINS VE
SUBJ: BOSCH INTERROGATION

REF: STATE 303401

1. LOCAL PRESS THIS MORNING FEATURES LOS ANGELES TIMES STORY STATING THAT US INVESTIGATORS "HAVE RECEIVED VENEZUELAN GOVT AUTHORIZATION TO INTERROGATE ORLANDO BOSCH" ON THE LETELIER CASE. THE STORY GOES ON TO QUOTE THE TIMES AS SAYING THAT AN FBI AGENT AND A US ATTORNEY WILL COME TO CARACAS NEXT MONTH "TO INTERROGATE BOSCH".

2. THIS IS UNFORTUNATE. IT IS FIRST TECHNICALLY UNTRUE AND SECONDLY IT IS PRECISELY WHAT THE GOV HAD HOPED TO AVOID. IT MAY INFLUENCE THE COURT'S RESPONS TO OUR UNUSUAL REQUEST THAT PROPPER AND "AN ASSISTANT" BE PRESENT AT THE COURT'S INTERROGATION. AS YOU KNOW, THE IDEA THAT THE FBI WOULD INTERROGATE BOSCH IS CONSIDERED AN EXTREMELY SENSITIVE MATTER BY THE GOV (SEE CARACAS 13581). TH GOV HAD ALSO BEEN NERVOUS THAT PUBLIC KNOWLEDGE OF SUCH AN INTERROGATION WOULD BE USED BY BOSCH'S DEFENSE ATTORNEYS TO IMPUGN THE GOVT'S CASE ON THE

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CUBANA INCIDENT.

3. I HAVE JUST RECEIVED THE LETTERS ROGATORY AND THEY WILL BE PRESENTED TODAY. I HAD A PRELIMINARY CONFERENCE WITH THE ACTING FOREIGN MINISTER FOLLOWING RECEIPT OF REFTEL. HE WAS VERY LEERY ABOUT THE

POINT OF PROPPER'S PRESENCE AT THE INTERROGATION,
POINTED TO ITS UNUSUAL NATURE, AND ENDED UP BY SAYING
THAT IT WOULD BE UP TO THE COURT TO DECIDE.II THINK
IT NOT AT ALL A FORGONE CONCLUSION THAT THE COURT
WILL GRANT THIS PARTICULAR REQUEST AND I THEREFORE
REGRET VERY MUCH THE PUBLICITY THAT HAS NOW OCCURRED.

4. WE WILL VERY LIKELY BE QUERIED ON THIS STORY.
SINCE I CANNOT SEE ANY VIRTUE TO ANYTHING BUT
ADMITTING THE TRUTH, WE PROPOSE, SUBJECT TO THE
DEPT'S APPROVAL, TO SAY, IF ASKED, THE
FOLLOWING, AND I SHALL ALSO CHECK THIS OUT TO
SEE IF THE GOV HAS ANY OBJECTION: "WHAT HAS
HAPPENED IS THAT QUESTIONS WHICH THE US INVESTI-
GATING AUTHORITIES DESIRE TO PUT TO BOSCH REGARDING
THE LETELIER CASE ARE BEING FORWARDED BY THE
CUSTOMARY "LETTERS ROGATORY" PROCEDURE. THIS
CONSISTS OF WRITTEN QUESTIONS FORWARDED BY A US
COURT TO THE COMPETENT VENEZUELAN COURT. THE
QUESTIONS ARE THEN PUT BY THE VENEZUELAN COURT TO
THE PERSONS INTERROGATED. THE LETTERS ROGARTOY WILL,
WE UNDERSTAND, ALSO CONTAIN A REQUEST THAT THE
ASSISTANT US ATTORNEY INVESTIGATING THE CASE BE
PRESENT WHEN THE VENEZUELAN CORT ASKS THE QUESTIONS.
IT WILL BE UP TO THE VENEZUELAN COURT TO DECIDE
WHETHER OR NOT TO PERMIT THE PRESENCE OF THE US
OFFICIALS AT THAT TIME. AS OF THIS MOMENT THE
LETTERS ROGATORY HAVE NOT YET BEEN FORWARDED TO
THE VENEZUELAN AUTHORITIES AND PERMISSION FOR US
OFFICIALS TO BE PRESENT AT THE INTERROGATION HAS
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NOT RPT NOT BEEN GIVEN AS YET."
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